

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

<p>ROBERT CORWIN on behalf of himself and all others similarly situated,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">-v-</p> <p>BERND R. SEIZINGER, MARTINE GEORGE, MARCEL ROSENCZWEIG, and GPC BIOTECH AG,</p> <p style="text-align: center;">Defendants.</p>	<p>Case No.: 07-CV-6728-DC</p> <p>ECF CASE</p>
<p>AUDREY DANG, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">-v-</p> <p>GPC BIOTECH AG, BERND SEIZINGER, MARTINE GEORGE, MARCEL ROZENCWEIG,</p> <p style="text-align: center;">Defendants.</p>	<p>Case No. 07-cv-07476-DC</p>
<p>ISTVAN TEMESFOI, on behalf of himself and all others similarly situated,</p> <p style="text-align: center;">PLAINTIFF,</p> <p style="text-align: center;">-v-</p> <p>GPC BIOTECH AG, BERND R. SEIZINGER, MARTINE GEORGE, and MARCEL ROSENCZWEIG,</p> <p style="text-align: center;">Defendants.</p>	<p>Case No. 07-cv-7016</p>

**[PROPOSED] ORDER FOR THE CONSOLIDATION OF  
ALL RELATED ACTIONS, APPOINTING LEAD  
PLAINTIFF AND APPROVING LEAD PLAINTIFF'S  
SELECTION OF LEAD COUNSEL**

Upon good cause shown, **IT IS HEREBY ORDERED THAT:**

**Consolidation**

The above captioned actions are appropriate for consolidation and are consolidated for all purposes including, but not limited to, discovery, pre-trial proceedings and trial proceedings, pursuant to Rule 42(c) of the Federal Rules of Civil Procedure. This matter shall be identified as *In re GPC Biotech AG Securities Litigation*, Civil Action No. 07-CV-6728-DC and the files of the action shall be maintained in one file under Master File No. 07-CV-6728-DC.

**Appointment Of Lead Plaintiff**

Agamemnon Chua, Dhruvajyoti Biswas, Lars Koernig Kron and Frank Von Tempelhoff (the “GPC Biotech Group”) are hereby appointed the lead plaintiffs pursuant to Section (3)(B) of the Securities Exchange Act of 1934, 15 U.S.C. 78n-4(a)(3)(B), in the consolidated action. The appointment of lead plaintiff is without prejudice to defendants' right to challenge the adequacy, typicality or ability of lead plaintiffs to properly represent the absent class members in this consolidated action or the propriety of this case being certified as a class action.

**Plaintiff's Counsel**

Lead plaintiff's selection of the law firms of Abbey Spanier Rodd & Abrams, LLP as Lead Counsel (“Plaintiff's Lead Counsel”) for all in the consolidated action is approved.

Plaintiff's Lead Counsel are hereby vested by the Court with the following responsibilities and duties in connection with the consolidated actions:

- To direct and coordinate the briefing and arguing of motions;

- To direct and coordinate the initiation and conduct of discovery proceedings, including, but not limited to, requests for production of documents, written interrogatories, requests for admissions, depositions and/or third party subpoenas;
- To direct and coordinate the examination of witnesses in depositions and on oral interrogatories;
- To act as spokespersons at pretrial conferences;
- To call meetings of Plaintiff's counsel as appropriate or necessary from time to time;
- To direct the preparation for a trial of this matter and to delegate work responsibilities to selected counsel as may be required in such a manner as to lead to the orderly and efficient prosecution of this litigation and to avoid duplicative or unproductive effort;
- To direct and coordinate the conduct of pre-trial, trial and post-trial proceedings;
- To consult with and employ experts;
- To initiate and conduct all settlement negotiations with counsel for defendants; and
- To perform such other duties as may be expressly authorized by further order of the Court.

No motion, request for discovery, or other pre-trial proceedings shall be initiated or filed by any plaintiff except through Plaintiffs' Lead Counsel.

Defendants' counsel may rely upon all agreements made with Plaintiff's Lead Counsel, and such agreements shall be binding on all plaintiffs in the consolidated action.

Plaintiff's Lead Counsel are hereby designated as the counsel for plaintiffs upon whom all notices, orders, pleadings, motions discovery, and memoranda may be served and defendants shall effect service of papers on plaintiffs by serving Plaintiffs' Lead Counsel. Plaintiffs' Lead Counsel is

authorized to receive orders, notices, correspondence and telephone calls from the Court and the Clerk of the Court on behalf of all plaintiffs.

If defendants file a single pleading or other paper directed to all plaintiffs in the consolidated action, the response on behalf of plaintiffs shall be made in a single pleading or other paper to be served by Plaintiff's Lead Counsel. All plaintiffs in these consolidated actions shall be bound by that pleading or paper.

The organizational structure established by this Order shall bind counsel for plaintiffs in all securities fraud class actions consolidated by this Order.

**SO ORDERED**, this \_\_\_\_ day of \_\_\_\_\_, 2007

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DENNY CHIN  
United States District Judge for the Southern District  
of New York